

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 v.) Criminal No. 03-37 Erie
)
PAUL J. PETERS)

MOTION TO DESTROY FIREARMS

AND NOW comes the United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania and Marshall J. Piccinini, Assistant United States Attorney for said district and respectfully moves this Court, pursuant to the All Writs Act, Title 28, United States Code, Section 1651(a) to enter an order authorizing Troopers of the Pennsylvania State Police to destroy certain firearms seized from the defendant during the investigation of this case. In support thereof, the government alleges as follows:

1. That on or about September 9, 2003, defendant was indicted for violations of Title 18, United States Code, Section 2 and Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(C), 841(c)(1) and 846.

2. That on or about December 4, 2003, defendant Peters entered a plea of guilty to a violation of Title 21, United States Code, Section 846.

3. That on or about May 25, 2004, defendant was sentenced to thirty months incarceration.

4. That during the course of the investigation, the following weapons were seized from the defendant:

- (a) Remington 20 gauge shotgun, serial number A957752U;
- (b) Warner Arms revolver, serial number 277;
- (c) Sterling Arms .380 caliber Mark II semi-automatic pistol, serial number G065391 with magazine.

5. That, as a result of defendant's felony conviction in the United States District Court for the Western District of Pennsylvania, it is unlawful for the defendant to possess any firearm or ammunition or to receive any firearm or ammunition, Title 18, United States Code, Section 922(g)(1).

WHEREFORE, as a result of defendant's felony conviction, it is respectfully requested that this Court enter an order authorizing Troopers of the Pennsylvania State Police to destroy the above-described weapons.

Respectfully submitted,

MARY BETH BUCHANAN
United States Attorney

s/Marshall J. Piccinini
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Assistant U.S. Attorney
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